

# The Pacific Commercial Advertiser

U. S. WEATHER BUREAU, AUG. 3.—Last 24 hours' rainfall, None. Temperature, Max. 83; Min. 74. Weather, Cloudy to Fair.

SUGAR.—96 Test Centrifugals, 4.0625c.; Per Ton, \$81.25.  
88 Analysis Beets, 10s. 11-2d.; Per Ton, \$83.60.

VOL. XLII., NO. 7173.

HONOLULU, HAWAII TERRITORY, FRIDAY, AUGUST 4, 1905.

PRICE FIVE CENTS

## SUPERVISORS ARE FIGHTING FOR PRINCIPLE

**Separate Warrants for Garbage Men Not a Surrender—Appropriations for August. Firemen's Pay Raised.**

The Board of Supervisors has rescinded its action in issuing a blanket warrant to Sam Johnson to pay the men employed in the Garbage Department, and yesterday warrants were signed calling for the pay of the men separately. This action was taken because the men need the money, and because the Supervisors, and everybody else connected with the matter, want them to have it. But the Supervisors do not propose to surrender the principle, thinking themselves right in the premises. And so there will be one warrant held up in order that a friendly proceeding may be instituted, and the judgment of the court secured upon the point.

"Well, yes," said Chairman George W. Smith of the Board of Supervisors, after the adjournment of the board meeting last night, "I understand that there is some such course as that contemplated. I do not know which warrant will be withheld to make the case. It will be a perfectly friendly proceeding."

County Treasurer Trent, on his part, is still serenely confident that he was in the right of the controversy. "You will notice that it is claimed that I paid a blanket warrant today," said the County Treasurer yesterday. "That was a warrant for \$500 to the Honolulu Park Commission. This amount was appropriated to the Commission direct. Today Superintendent Holloway came in with a warrant payable to the Park Commission, and signed by the men showing that he had paid them. As the appropriation was made to the Commission, I cashed the warrant."

"Now, why is it that they insist on Sam Johnson's being paid the garbage men's wages? It is not the only case where I have refused to recognize a blanket warrant."

"Yesterday W. L. Frazee, superintendent of the electric light station, presented a warrant drawn payable to himself for wages due another man, who was working for the department. I rejected it because it was not drawn to pay to the order of the man who did the work. Why did they not make a test case of that?"

"No, they try to make out that I am only working against Sam Johnson. In fact, I am desirous of an amicable settlement of the dispute. I have been trying to get it submitted to the Supreme Court on an agreed statement of facts in order to have it expeditiously settled, but they seem to want a writ of mandamus to fight it out that way."

As the Supervisors are also apparently desirous of a friendly settlement through the courts, however, it would seem that the matter could be adjusted in the near future.

The Supervisors did a lot of business at their meeting yesterday besides making provision for the payment of the Garbage Department men, holding a session in the afternoon and another in the evening. Among other things, the appropriations for the several departments were passed, provision was made for road work and the firemen had their salaries raised.

### AFTERNOON SESSION.

The afternoon session of the Supervisors commenced at 4 o'clock yesterday. Before the meeting opened Supervisors Lucas, Smith, Moore and Paele busied themselves signing warrants and getting them in shape to be passed upon. A motion was made to suspend the reading of the minutes, which was carried. Supervisor Adams arrived soon after this.

Chairman Smith first brought up the matter of paying the Road Department and Garbage Department laborers, and in order that this might be done it was necessary to reconsider the resolution passed the day before by the board.

Mr. Lucas moved for a reconsideration of the board's action in passing warrant payroll 115 made payable to Mr. Sam Johnson. Passed. The former action of the board in regard to the payroll was rescinded, as was their action in regard to the special road tax, amounting to \$1619.11.

### TO PAY GARBAGE MEN.

The board then passed upon this matter a second time, new amounts being made out on separate warrants. Mr. Moore for the Committee on Sanitation and Health presented 45 salary warrants for a total of \$416.44, with a motion that they be paid. Passed.

Lucas for the Committee on Roads, Bridges and Parks presented two motions that a payroll in that department amounting to \$3503.30 be paid, and also a special road tax deposit of \$1619.11 be paid. Carried.

Mr. Kellogg of Wahiawa appeared before the board with a request that the supervisors ask the Superintendent of Public Works to open up a road running along the south-east part of the colony. There had been some difficulty in the past owing to the fact that the road which the colonists were using in that section ran over private land where there were a number of gates. If these gates were closed by the owners it would be necessary to make a detour of three miles to reach the dam. The Superintendent of Public Works had expressed a willingness to open the road if the supervisors authorized him to do so. Accordingly,

Lucas made a motion that the clerk be instructed to write the Superintendent of Public Works, and request him to open the road as requested by the citizens of Wahiawa, the same to be done at the expense of the territory. The motion was carried.

### EVENING SESSION.

The evening session of the Supervisors was called at 7:45 with all members present but Cox and Archer.

A number of bills were first brought up by Adams to be acted upon by the board. Supply demand 386 for \$65.70, presented by the Roads, Bridges and Parks Committee, was ordered paid, as were the following:

Five supply demands from Public Expenditures Committee amounted to \$749.50. Included in this was T. McCants Stewart's bill for furniture and one from Wichman amounting to \$17.50 for the county seal.

Supply demands \$37.88, amounting to \$192, came from the Police Department.

The Police Department presented two bills, one for \$152.60 and another for \$40 for detective and informers' services. Adams recommended that this be paid and it was passed, while Lucas made some remarks about what he thought of informers in general. The Police Department asked for an appropriation of \$250 for the ensuing month for this department. Demand 434 was ordered sent back to the Police Department for correction, as indicated on the copy. The question of estimates for the ensuing month of August was then taken up.

The Roads, Bridges and Parks Committee reports were first considered. Adams spoke against allowing \$250 for pipe and soil at Kapiolani Park.

### A CLEAR STATEMENT.

Moore thought L. A. Thurston made a clear statement in regard to wants and \$250 was little to be asked for.

Lucas thought that improvements at the park should be encouraged. The Park Committee asked for \$1159. It was impossible to give them that much, but he thought allowing them \$750 was not too much.

Adams was in favor of paying higher.

(Continued on Page 3.)

## GOVERNOR CARTER WILL RETURN IN SEPTEMBER

**In the Meantime He is at Lake Tahoe With Mrs. Carter, and Wants His Mail Sent There—Creedon on Alameda.**

"I have just received a cablegram from Governor Carter," said Acting Governor Atkinson late yesterday afternoon. "He is at the Tallac House, Lake Tahoe, and asks that his mail be sent there."

In addition to this, it was learned last night that the Governor had sent orders to have his house made ready for the return of the family in September. This, however, did not come to the Acting Governor. The plans of the Carters, it is said, are to return on the Mongolia, reaching here on the 2d of September. The Governor's Secretary, F. E. Creedon, will be home on the Alameda today.

And so it becomes apparent that the Governor has concluded to take at least some of the rest that his friends all think he stands in need of before coming back to Hawaii to take up the burden of government. It is perhaps just as well. Jack is not letting anything get out from under the lid.

When the Governor went east from California to hold that now historic interview with the President, he left Mrs. Carter at Tahoe, but was not himself certain that he would not, upon his return, pick her up on the way and come right back to Honolulu. His cablegram shows that he has now made up his mind to remain at Tahoe for a time, at least. The Alameda's mail, due this morning, should bring more extended details of his plans.

It is entirely possible that the President himself advised the Governor to take a rest. The friends of Carter here who thought that he needed a vacation are known to have communicated with their friends on the mainland to that effect, and it is well within the bounds of possibility that the President himself received a hint of the advisability of this course. Of course, a hint from the President would come with the force of a command to Governor Carter. Anyway, the Governor's friends here are almost without exception of the opinion that after an absence of a few months he would be much more apt to come back the Carter of former days than if he were to return at once to the scene of his labors.

## SEA WALLS AGAINST LAW

**Territory Will Take Steps to Preserve Its Rights.**

The wealthy men with summer homes at Waikiki Beach who have built sea walls along the front of their property may find themselves confronted with the necessity for removing them or setting them back.

Because, the law department of the Territory of Hawaii is moving, and is after them. It seems that, under the law, the Territory is entitled to a right of way along the beach all around the island. This goes even where the grants of land run to extreme low water mark, as in some cases they do at Waikiki. For instance, the grant that runs from the ex-Queen's property as far as the Moana frontage, both inclusive, embraces the land out to the line of extreme low water.

But, even in the cases of grants of this character, the Territory is still entitled to a right of way along the beach. To this old Territorial right has been added, since annexation, the right of the United States government to the land between high and low water. This is a point that has been passed upon more than once by the United States Supreme Court, and always in favor of the government's right. Of course, the tide land is held by the Territory, as the water frontage is held on the mainland by the States, but it is held in trust. The State cannot pass title to land that is submerged at high tide—and it follows that no individual holder can. And no individual, therefore, can acquire title to it. To fence in such land is a trespass, under the law.

It is thought that when the attention of the men who have built the walls is called to the law of the case, an amicable arrangement of the whole matter can be reached—but if it is not, then there will be court proceedings instituted to enjoin the construction of such walls, and to compel the removal or setting back of those already built. This is likely to entail some considerable losses, as many of the walls are of very solid construction, and must have been expensive to build.

(Continued on Page 3.)

## FIRE DRILL AND A FIRE

**Honolulu Department at Play, Given Chance to Work.**

The exhibition drill of the Honolulu Fire Department, given for the Board of Supervisors of Oahu County was followed by a number not on the program. This was a real fire, which gave everyone a chance to see the department in action. As a result of the work of the firemen yesterday afternoon, many compliments have been showered on Chief Thurston and his men. The long hard run to Queen and South streets was made in record time and thousands of dollars of property saved by the prompt action of the firemen. The tower drill was an eye-opener to many who do not appreciate what Honolulu has in the way of fire apparatus.

The exhibition drill closed at 2:10 yesterday afternoon, and at 2:35 an alarm came in from Box 27, corner of South and King streets. Many of the visitors were still at the Central Station and eagerly watched the inspiring scene as the big engines and hose wagons, one after another, rolled out of the station and with horses galloping tore along the streets to the fire. The blaze was in a one-story cottage belonging to N. J. Louis and situated on the makai side of Queen street, just Waikiki of South. The place was occupied by a Portuguese family named de Reuda, the father, John de Reuda, being employed at the Rapid Transit powerhouse.

### BOY BREAKS HIS ARM.

The wife and her daughter were across the street in a Chinese store at the time the fire was discovered.

There was no gasoline stove in the house and although the wood stove was capsized when it was found, it was evident that the fire started in the middle of the house and not in the kitchen. The daughter had been ironing and it may be that that had something to do with the blaze. Mr. de Reuda had no insurance and lost everything. Mr. Louis is not sure whether his insurance has run out or not. The house is a total loss and was worth about \$700.

Three adjoining houses so close that all of them almost touched the burned

## CONGER IS TO BE CONSULTED

**Former Minister to China Leaves City of Mexico to Advise Washington on Chinese Boycott.**

(ASSOCIATED PRESS CABLEGRAMS.)

CITY OF MEXICO, August 4.—United States Ambassador Conger, formerly Minister to China, has gone to Washington in order that the authorities there may consult him regarding the Chinese boycott of American goods.

## MISSISSIPPI TROOPS OUT TO ENFORCE QUARANTINE

JACKSON, August 4.—Governor Vardaman has ordered out additional troops to guard the borders of Mississippi against the yellow fever.

FEVER AT NEW ORLEANS UNABATED.

NEW ORLEANS, August 4. Fifty-four new cases of yellow fever have been reported. The total number of deaths to date is eighty-four.

## PRACTICALLY ALL SAGHALIEN UNDER JAPANESE CONTROL

TOKIO, August 4.—The bulk of the Russian garrison in Saghalien Island surrendered on July 31.

CIVIL GOVERNMENT FORMING.

TOKIO, August 3.—The civil administration at Saghalien by the Japanese will establish headquarters at Alexandrovsk.

RUSSIAN DESTROYERS AT LARGE.

TOKIO, August 3.—Two Russian torpedo boat destroyers today fired sixty shots at the merchant steamer Kaisho, killing the captain of the ship and one boy and wounding two members of the crew. The destroyers then steamed toward Vladivostok.

## ROOSEVELT ENTERTAINS WITTE TODAY.

OYSTER BAY, August 4.—President Roosevelt will informally receive M. de Witte, the Russian Peace plenipotentiary, at Sagamore Hill today.

## CHADWICK CREDITORS GET PITTANCE.

CLEVELAND, August 4.—The creditors of Mrs. Cassie L. Chadwick will receive seven mills on the dollar.

## AFTERNOON REPORT.

PARIS, August 3.—The savings bank operated in connection with the big Printemps Department Store, has suspended in consequence of failures in the sugar trade.

INDIANAPOLIS, August 3.—General James Richards Carnahan, who has been at the head of the Uniform Rank Knights of Pythias since 1884, died here today.

building, were on fire, and it took all the efforts of the firemen to confine the blaze to the de Reuda house. The damage to the other houses is slight, probably not over \$150 on all three, mostly by water. An enormous crowd gathered to see the firemen at work and the police were compelled to stretch lines to keep the people back. Just before the engines arrived Aleck Harris, a boy about 15 year old, fell off the roof where he was trying to extinguish the flames. His arm was broken and he was taken to the Queen's Hospital for treatment.

### THE EXHIBITION DRILL.

A big crowd gathered about the Central Fire Station yesterday afternoon at 1 o'clock to see the exhibition drill given by the Honolulu Fire Department for the benefit of the Supervisors. The men who took part in the drills were from Engine Companies 1

and 2 and Chemical 1, which are stationed in the Central Station. Most of the work was done on the 65-foot practice tower that stands just in the rear of the building. There are windows in the sides of the tower so that in practice it represents a four-story building.

The first drill was by four men with scaling ladders. These ladders are strips of wood, 16 feet long with cross steps and long steel hooks at the top. The men hooked the hooks over the window sills and then climbed the swaying ladders until there was a man on each floor and a chain of ladders from the ground to the roof. Next two men scaled the wall with two ladders and finally one man made his way from the bottom to the roof and back again. He climbed the entire 65 feet in a minute and a half, lifting the heavy ladder himself at each story.

(Continued on Page 7.)